

SECOND AMENDED

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office.....~~DEC 22 1989~~ -- NEW PRIORITY DATE: FEB 15 1994

Returned to applicant for correction..... JAN 16 1990

Corrected application filed..... FEB 20 1990

Map filed..... FEB 20 1990

The applicant..... NYE COUNTY BOARD OF COMMISSIONERS

P.O. BOX 153

TONOPAH

Street and No. or P.O. Box No.

City or Town

NEVADA 89049

State and Zip Code No.

....., hereby make<sup>s</sup> application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is..... Underground - Amargosa Valley  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... .10 c. f. s. ....second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... Quasi-municipal  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point..... in the N½ E½ SE¼ NE¼ of Section 7,  
Describe as being within a 40-acre subdivision of public

T.17S., R.52E., M.D.B.& M., whence the Northeast corner of said Section 7 bears survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

N.05°25'36"E., 1,479.10 feet distant.

6. Place of use..... in the N½ NE¼ NE¼ SE¼ NE¼ (approx. 1.15 acres) of Section 7, T.17S.,  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

R.52E., M.D.B.&M., said land being also Lot 2 of Block 4 of the Forty Bar Estates

Subdivision as filed in the Nye County Recorder's Office as File No.32393 on

May 5, 1972.

7. Use will begin about..... January 1st .....and end about..... December 31st ..... of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... It is proposed to drill, case and equip an  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
underground well for parks and recreational purposes.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$5,000.00

10. Estimated time required to construct works 3 years  
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

One restroom facility and grass area. Approximately 0.5 million gallons per year.

By s/Wallace T. Boundy  
Wallace T. Boundy, Agent  
P.O. Box 242  
Tonopah, NV 89049

Compared bc/se am/se

Protested \_\_\_\_\_

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 0.10 cubic feet per second, but not to exceed 0.50 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 10, 1991

Proof of completion of work shall be filed on or before January 10, 1992

Application of water to beneficial use shall be made on or before December 10, 1993

Proof of the application of water to beneficial use shall be filed on or before January 10, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed FEB 4 - 1992

Proof of beneficial use filed JUN 08 1994

Cultural map filed \_\_\_\_\_

Certificate No. 14094 Issued MAR 09 1995

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my  
 office, this 10th day of December,

A.D. 1990

R. Michael Turnipseed, P.E.  
 State Engineer

(O)-5314 (Rev.)

CANCELLED FEB 23 1994 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

Can. Rescinded 5/19/94